REMARKS

[0003]   Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1-23, 25-38, and 30-35 are presently pending.   Claims 1, 3-5, 7, 10, 12-14, 19-23, 25-28, and 30-34 are amended. Claims 24 and 29 are canceled. No claims are added.

Statement of Substance of Interview

[0004]   Examiner Charles Lu graciously talked with Trevor Lind—the undersigned representative for the Applicant—on June 25, 2008.   Applicant greatly appreciates the Examiner's willingness to talk.   Such willingness is invaluable to our common goal of an expedited prosecution of this patent application.

[0005]   During the interview, differences between the claims and the cited art, namely U.S. Patent No. 6,301,579 ("Becker") were discussed. Without conceding the propriety of the rejections and in the interest of expediting prosecution, possible clarifying amendments were proposed.

[0006]   The Examiner appeared receptive to the proposals. The Examiner indicated that clarification regarding determining whether at least one mining structure is available for mining model creation and creating a plurality of mining models based on the at least one mining structure when the at least one mining structure is available and creating a plurality of mining models based on a plurality of data sets when the at least one mining structure is not available may distinguish the claims over the cited art, namely Becker. However, the Examiner indicated that he would need to review the cited art more carefully and/or do another search, and requested that the proposed amendments be presented in writing.

[0007]   Some of the claims have been amended and arguments are presented in this response in the manner discussed during the interview.   Accordingly,

Applicant submits that the pending claims are allowable over the cited art of record for at least the reasons discussed during the interview.

Formal Request for an Interview

[0008]   If the Examiner's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can talk about this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

[0009]   Please contact me to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for me, I welcome your call as well. My contact information may be found on the last page of this response.

Claim Amendments and Additions

[0010]   Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claims 1, 3-5, 7, 10, 12-14, 19-23, 25-28, and 30-34. The claims amendments are made to expedite prosecution and more quickly identify allowable subject matter. In addition, the claim amendments are fully supported by the Application and do not include new matter. (*See* paragraphs [0051] on page 12, [0052] on page 13, and [0056] on pages 13-14 of the Application).

FORMAL MATTERS

Claims

[0011] The Action objects to claims 1-35 for various informalities. The claims are amended, as shown above, at least to correct the informalities noted at section 5, pages 2 and 3 of the Action.

SUBSTANTIVE MATTERS

Obviousness Rejections

Lack of *Prima Facie* Case of Obviousness (MPEP § 2142)

[0012] The arguments presented below point to various aspects of the record to demonstrate that all of the criteria set forth for making a *prima facie* case of obviousness with respect to claims 1-23, 25-28, and 30-35 have not been met. For example, Applicant respectfully submits that the cited art does not teach or suggest all of the features of claims 1-23, 25-28, and 30-35.

Based upon Becker

[0013] The Action rejects claims 1, 3-10, 12-19, 21-30, and 32-35 under 35 U.S.C. § 103(a) as being unpatentable over Becker. Applicant respectfully traverses the rejections of these claims and asks the Examiner to withdraw the rejections of these claims.

Independent Claim 1

[0014] Applicant submits that the cited portions of Becker do not teach or suggest at least the following features of claim 1:

- "determining whether at least one mining structure is available for mining model creation"

- "creating a plurality of mining models based on the at least one mining structure when the at least one mining structure is available..."

- "creating the plurality of mining models based on the one or more of the plurality of data sets when the at least one mining structure is not available"

[0015]   In contrast to claim 1, the cited portions of Becker teach creating a decision table classifier from a training set, where the training set has been created from a data set. (*See* Becker, col. 10, ll. 29-38 and col. 11, ll. 51-67). Further, the cited portions of Becker teach creating a decision table classifier from the training set and then back-fitting the decision table classifier using the data set. (*See* Becker, col. 29, ll. 49-55). The cited portions of Becker do not teach or suggest determining whether at least one mining structure is available for mining model creation and creating a plurality of mining models based on the at least one mining structure when the at least one mining structure is available or creating the plurality of mining models based on the one or more of the plurality of data sets when the at least one mining structure is not available, as recited in claim 1. Rather, the cited portions of Becker teach creating a decision table classifier from a training set and then modifying the decision table classifier based on the data set and not creating mining models from separate sources (the at least one mining structure or the plurality of data sets) based on the availability of at least one mining structure.

[0016] Accordingly, claim 1 is allowable because the cited art does not teach or suggest each feature of independent claim 1 and Applicant asks the Examiner to withdraw the rejection of this claim.

Dependent Claims 3-9

[0017] Dependent claims 3-9 ultimately depend upon independent claim 1. As explained previously, the cited portions of Becker do not teach or suggest all of the features of claim 1. Thus, the cited art does not teach or suggest all of the features of claims 3-9. Accordingly, at least for these reasons, claims 3-9 are allowable at least by virtue of their dependency from claim 1 and Applicant asks the Examiner to withdraw the rejections of these claims.

[0018] Further, at least some of the dependent claims include features that are not taught or suggested by the cited art. For example, claim 6 recites, "wherein links between the one or more of a plurality of mining models and the mining structure from which each mining model was created are stored, facilitating changes in one or more mining structures being simultaneously reflected in each of the one or more mining models created from each of the changed mining structures."

[0019] With respect to claim 6, page 6 of the Action states:

"As to claim 6, Becker as applied above further teaches wherein links between the one or more of a plurality of mining models and the mining structure from which each mining model was created are stored,

facilitating changes in one or more mining structures being simultaneously reflected in each of the one of (sic) more mining models created from each of the changed mining structures. Note that "a structure can be built from a small training set and then be back-fitted with a larger data set to improve the probability estimates" (col. 29, ll. 53-55). In order to accomplish this, a link between model and structure must be stored to remember the correspondence between the mining model and mining structure and to update the values correctly."

However, the cited portions of Becker do not teach or suggest links between a plurality of mining models and the mining structure from which each mining model was created, where changes in one or more mining structures are simultaneously reflected in each of the one or more mining models created from each of the changed mining structures, as recited in claim 6. Rather, the cited portions of Becker teach building a decision table classifier from a training set and improving the probability estimates of the decision table classifier using the full data set containing the training set. (*See* Becker, col. 29, ll. 49-65). There are no changes in Becker that occur with respect to the mining structure/training set, but instead data is merely retrieved from the data set that was used to build the training set. Hence, claim 6 is allowable for these additional reasons.

Independent Claim 10

[0020]   Applicant submits that the cited portions of Becker do not teach or suggest at least the following features of claim 10:

- "determining whether at least one mining structure is available for mining model creation"

- "creating a plurality of mining models based on the at least one mining structure when the at least one mining structure is available..."

- "creating the plurality of mining models based on the one or more of the plurality of data sets when the at least one mining structure is not available"

[0021]   As explained previously, the cited portions of Becker do not teach or suggest determining whether at least one mining structure is available for mining model creation and creating a plurality of mining models based on the at least one mining structure when the at least one mining structure is available or creating the plurality of mining models based on the one or more of the plurality of data sets when the at least one mining structure is not available, as recited in claim 10. Accordingly, claim 10 is allowable because the cited art does not teach or suggest each feature of independent claim 10 and Applicant asks the Examiner to withdraw the rejection of this claim.

Dependent Claims 12-18

[0022] Dependent claims 12-18 ultimately depend upon independent claim 10. As explained previously, the cited portions of Becker do not teach or suggest all of the features of claim 10. Thus, the cited art does not teach or suggest all of the features of claims 12-18. Accordingly, at least for these reasons, claims 12-18 are allowable at least by virtue of their dependency from claim 10 and Applicant asks the Examiner to withdraw the rejections of these claims.

[0023] Further, at least some of the dependent claims include features that are not taught or suggested by the cited portions of Becker. As explained previously, Applicant respectfully submits that the cited art does not teach or suggest links between the one or more of a plurality of mining models and the mining structure from which each mining model was created are stored, facilitating changes in one or more mining structures being simultaneously reflected in each of the one or more mining models created from each of the changed mining structures, as recited in claim 15. Hence, claim 15 is allowable for these additional reasons.

Independent Claim 19

[0024] As explained previously, Applicant respectfully submits that the cited portions of Becker do not teach or suggest links between the one or more of a plurality of mining models and the mining structure from which each mining model was created are stored, facilitating changes in one or more mining

structures being simultaneously reflected in each of the one or more mining models created from each of the changed mining structures, as recited in claim 19. Accordingly, claim 19 is allowable because the cited art does not teach or suggest each feature of independent claim 19 and Applicant asks the Examiner to withdraw the rejection of this claim.

Dependent Claims 21-24

[0025]   Dependent claims 21-24 ultimately depend upon independent claim 19. As explained previously, the cited portions of Becker do not teach or suggest all of the features of claim 19. Thus, the cited art does not teach or suggest all of the features of claims 21-24. Accordingly, at least for these reasons, claims 21-24 are allowable at least by virtue of their dependency from claim 19 and Applicant asks the Examiner to withdraw the rejections of these claims.

Independent Claim 25

[0026]   Applicant submits that the cited portions of Becker do not teach or suggest at least the following features of claim 25:

- "wherein links between the one or more of a plurality of mining models and the mining structure from which each mining model was created are stored, facilitating changes relating to discretization of continuous variables associated with the one or more mining

structures being simultaneously reflected in each of the one or more mining models created from each of the changed mining structures"

[0027]   As explained previously, Applicant respectfully submits that the cited portions of Becker do not teach or suggest links between the one or more of a plurality of mining models and the mining structure from which each mining model was created are stored, facilitating changes in one or more mining structures being simultaneously reflected in each of the one or more mining models created from each of the changed mining structures, as recited in claim 25. Additionally, the cited portions of Becker do not teach or suggest changes relating to discretization of continuous variables associated with the one or more mining structures, as recited in claim 25. Accordingly, claim 25 is allowable because the cited art does not teach or suggest each feature of independent claim 25 and Applicant asks the Examiner to withdraw the rejection of this claim.

[0028]   Accordingly, claim 25 is allowable because the cited art does not teach or suggest each feature of independent claim 25 and Applicant asks the Examiner to withdraw the rejection of this claim.

Dependent Claims 26-29

[0029]   Dependent claims 26-29 ultimately depend upon independent claim 25. As explained previously, the cited portions of Becker do not teach or suggest all of the features of claim 25. Thus, the cited art does not teach or suggest all of the features of claims 26-29. Accordingly, at least for these reasons, claims

26-29 are allowable at least by virtue of their dependency from claim 25 and Applicant asks the Examiner to withdraw the rejections of these claims.

Independent Claim 30

[0030]   Applicant submits that the cited portions of Becker do not teach or suggest at least the following features of claim 30:

- "a structure wherein information from the data set is processed, wherein processing occurs only on data necessary per definitions in the mining structure and includes discretizing per said definitions, wherein said definitions indicate that a first number of the one or more of the plurality of mining structures include continuous variables of a particular data set discretized in a first manner and that a second number of the one or more of the plurality mining structures include the continuous variables of the particular data set discretized in a second manner"

[0031]   With respect to claim 30, page 7 of the Action states:

"Claims 10, 12-18, 30 and 32-25 are rejected on the same basis as claims 1 and 3-9 discussed above."

However, the rejection with respect to claim 1 does not address processing of information from the data set occurring on data necessary per definitions in a

mining structure and discretizing per said definitions, as recited in claim 30. Applicant respectfully submits that the cited portions of Becker do not teach or suggest processing of information from the data set occurring on data necessary per definitions in a mining structure and discretizing per said definitions, as recited in claim 30. Further, the cited portions of Becker do not teach or suggest that definitions used to process information from data sets indicate that a first number of mining structures include continuous variables of a particular data set discretized in a first manner and that a second number of mining structures include the continuous variables of the particular data set discretized in a second manner, as recited in claim 30.

[0032]   Accordingly, claim 30 is allowable because the cited art does not teach or suggest each feature of independent claim 30 and Applicant asks the Examiner to withdraw the rejection of this claim.

Dependent Claims 32-35

[0033]   Dependent claims 32-35 ultimately depend upon independent claim 30. As explained previously, the cited portions of Becker do not teach or suggest all of the features of claim 30. Thus, the cited art does not teach or suggest all of the features of claims 32-35. Accordingly, at least for these reasons, claims 32-35 are allowable at least by virtue of their dependency from claim 30 and Applicant asks the Examiner to withdraw the rejections of these claims.

[0034]   Further, at least some of the dependent claims include features that are not taught or suggested by the cited portions of Becker. As explained previously, Applicant respectfully submits that the cited art does not teach or suggest links between the one or more of a plurality of mining models and the mining structure from which each mining model was created are stored, facilitating changes in one or more mining structures being simultaneously reflected in each of the one or more mining models created from each of the changed mining structures, as recited in claim 35. Hence, claim 35 is allowable for these additional reasons.

Based upon Becker and Smith

[0035]   The Action rejects claims 2, 11, 20, and 31 under 35 U.S.C. § 103(a) as being unpatentable over Becker in view of U.S. Patent No. 6,591,274 ("Smith"). Applicant respectfully traverses the rejections of these claims and asks the Examiner to withdraw the rejections of these claims.

Dependent Claim 2

[0036]   Claim 2 depends from claim 1, which Applicant has shown to be allowable over the cited portions of Becker. As explained previously, the cited portions of Becker do not teach or suggest determining whether at least one mining structure is available for mining model creation and creating a plurality of mining models based on the at least one mining structure when the at least one mining structure is available or creating the plurality of mining models based on

the one or more of the plurality of data sets when the at least one mining structure is not available, as recited in claim 1.

[0037]   With respect to claim 2 in view of Smith, page 8 of the Action states:

> "**As to claim 2**, Becker as applied above teaches mining structures, but does not expressly teach "serving as first class objects in a database."
>
> However, Smith teaches serving as first class objects in a database (col. 4, ll. 5-45)."

However, the cited portions of Smith do not teach or suggest determining whether at least one mining structure is available for mining model creation and creating a plurality of mining models based on the at least one mining structure when the at least one mining structure is available or creating the plurality of mining models based on the one or more of the plurality of data sets when the at least one mining structure is not available, as recited in claim 1. Since the cited art does not teach or suggest each feature of independent claim 1, the cited art also does not teach or suggest each feature of claim 2. Accordingly, at least for these reasons, claim 2 is allowable at least by virtue of its dependency from claim 1 and Applicant asks the Examiner to withdraw the rejection of this claim.

Dependent Claim 11

Serial No.:10/624,278
Atty Docket No.: MS1-3547US
Atty/Agent: Trevor Lind
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[0038] Claim 11 depends from claim 10, which Applicant has shown to be allowable over the cited portions of Becker. As explained previously, the cited portions of Becker do not teach or suggest determining whether at least one mining structure is available for mining model creation and creating a plurality of mining models based on the at least one mining structure when the at least one mining structure is available or creating the plurality of mining models based on the one or more of the plurality of data sets when the at least one mining structure is not available, as recited in claim 10.

[0039] With respect to claim 11 in view of Smith, page 8 of the Action states:

> "**Claims 11, 20, and 31** are drawn to substantially the same subject matter as claim 2 discussed above."

As explained previously, the cited portions of Smith do not teach or suggest determining whether at least one mining structure is available for mining model creation and creating a plurality of mining models based on the at least one mining structure when the at least one mining structure is available or creating the plurality of mining models based on the one or more of the plurality of data sets when the at least one mining structure is not available, as recited in claim 10. Since the cited art does not teach or suggest each feature of independent claim 10, the cited art also does not teach or suggest each feature of claim 11. Accordingly, at least for these reasons, claim 11 is allowable at least by virtue of its dependency from claim 10 and Applicant asks the Examiner to withdraw the rejection of this claim.

Dependent Claim 20

[0040]   Claim 20 depends from claim 19, which Applicant has shown to be allowable over the cited portions of Becker. As explained previously, the cited portions of Becker do not teach or suggest links between the one or more of a plurality of mining models and the mining structure from which each mining model was created are stored, facilitating changes in one or more mining structures being simultaneously reflected in each of the one or more mining models created from each of the changed mining structures, as recited in claim 19.

[0041]   With respect to claim 20 in view of Smith, page 8 of the Action states:

> "**Claims 11, 20, and 31** are drawn to substantially the same subject matter as claim 2 discussed above."

However, the cited portions of Smith do not teach or suggest links between the one or more of a plurality of mining models and the mining structure from which each mining model was created are stored, facilitating changes in one or more mining structures being simultaneously reflected in each of the one or more mining models created from each of the changed mining structures, as recited in claim 19. Since the cited art does not teach or suggest each feature of independent claim 19, the cited art also does not teach or suggest each feature of claim 20. Accordingly, at least for these reasons, claim 20 is allowable at least

by virtue of its dependency from claim 19 and Applicant asks the Examiner to withdraw the rejection of this claim.

Dependent Claim 31

[0042]   Claim 31 depends from claim 30, which Applicant has shown to be allowable over the cited portions of Becker. As explained previously, the cited portions of Becker do not teach or suggest processing of information from the data set occurring on data necessary per definitions in a mining structure and discretizing per said definitions, as recited in claim 30. Further, as explained previously, the cited portions of Becker do not teach or suggest that definitions used to process information from data sets indicate that a first number of mining structures include continuous variables of a particular data set discretized in a first manner and that a second number of mining structures include the continuous variables of the particular data set discretized in a second manner, as recited in claim 30.

[0043]   With respect to claim 31 in view of Smith, page 8 of the Action states:

> "**Claims 11, 20, and 31** are drawn to substantially the same subject matter as claim 2 discussed above."

However, the cited portions of Smith do not teach or suggest processing of information from the data set occurring on data necessary per definitions in a mining structure and discretizing per said definitions, as recited in claim 30.

Further, the cited portions of Smith do not teach or suggest that definitions used to process information from data sets indicate that a first number of mining structures include continuous variables of a particular data set discretized in a first manner and that a second number of mining structures include the continuous variables of the particular data set discretized in a second manner, as recited in claim 30. Since the cited art does not teach or suggest each feature of independent claim 30, the cited art also does not teach or suggest each feature of claim 31. Accordingly, at least for these reasons, claim 31 is allowable at least by virtue of its dependency from claim 30 and Applicant asks the Examiner to withdraw the rejection of this claim.

Based upon Becker and Browning

[0044] The Action rejects claims 19 and 21-29 under 35 U.S.C. § 103(a) as being unpatentable over Becker in view of U.S. Patent No. 5,903,302 ("Browning"). Applicant respectfully traverses the rejections of these claims and asks the Examiner to withdraw the rejections of these claims.

Independent Claim 19

[0045] Applicant submits that the cited portions of Becker and the cited portions of Browning do not teach or suggest at least the following features of claim 19:

- "wherein links between the one or more of a plurality of mining models and the mining structure from which each mining model was created are stored, facilitating changes in one or more mining structures being simultaneously reflected in each of the one or more mining models created from each of the changed mining structures"

[0046]   As explained previously, the cited portions of Becker do not teach or suggest links between the one or more of a plurality of mining models and the mining structure from which each mining model was created are stored, facilitating changes in one or more mining structures being simultaneously reflected in each of the one or more mining models created from each of the changed mining structures, as recited in claim 19.

[0047]   Additionally, with respect to claim 19 in view of Becker and Browning, page 9 of the Action states:

"**Claim 19** is drawn to substantially the same subject matter as claim 1 discussed above, in addition to "wherein when a mining model creation function detects that no mining structure utilizing data from a desired data set is currently available, creating one or more mining models includes creating the mining structure." This limitation is understood as being similar to "if a necessary file is missing, create the file before continuing processing."

If the "function" is a programmed function, then Becker does not expressly teach the claimed subject matter.

However, Becker as applied above teaches that a mining model is created using a mining structure (see above). The mining structure is, for example, a data file that serves as a base level of records for the mining model (col. 11, ll. 46-50). Thus, the mining model could depend on whether the data file was created, and if the data file cannot be found, a mining model could not be created.

Browning teaches a function that detects a missing file, and if, for whatever reason, a file cannot be found, automatically recreating the file (col. 5, ll. 28-41)."

However, the cited portions of Browning do not teach or suggest links between the one or more of a plurality of mining models and the mining structure from which each mining model was created are stored, facilitating changes in one or more mining structures being simultaneously reflected in each of the one or more mining models created from each of the changed mining structures, as recited in claim 19.

[0048]   Accordingly, claim 19 is allowable because the cited art does not teach or suggest each feature of independent claim 19 and Applicant asks the Examiner to withdraw the rejection of this claim.

Dependent Claims 21-24

[0049]   Dependent claims 21-24 ultimately depend upon independent claim 19. As explained previously, the cited portions of Becker and the cited portions

of Browning do not teach or suggest all of the features of claim 19. Thus, the cited art does not teach or suggest all of the features of claims 21-24. Accordingly, at least for these reasons, claims 21-24 are allowable at least by virtue of their dependency from claim 19 and Applicant asks the Examiner to withdraw the rejections of these claims.

Independent Claim 25

[0050]   Applicant submits that the cited portions of Becker and the cited portions of Browning do not teach or suggest at least the following features of claim 25:

> "wherein links between the one or more of a plurality of mining models and the mining structure from which each mining model was created are stored, facilitating changes relating to discretization of continuous variables associated with the one or more mining structures being simultaneously reflected in each of the one or more mining models created from each of the changed mining structures"

[0051]   As explained previously, Applicant respectfully submits that the cited portions of Becker do not teach or suggest links between the one or more of a plurality of mining models and the mining structure from which each mining model was created are stored, facilitating changes in one or more mining structures being simultaneously reflected in each of the one or more mining models created from each of the changed mining structures, as recited in claim

25.   Additionally, as explained previously, the cited portions of Becker do not teach or suggest changes relating to discretization of continuous variables associated with the one or more mining structures, as recited in claim 25.

[0052]   With respect to claim 25 in view of Becker and Browning, page 10 of the Action, states:

> "**Claim 25** is rejected on the same basis as claim 19, discussed above."

As explained previously, the cited portions of Browning do not teach or suggest links between the one or more of a plurality of mining models and the mining structure from which each mining model was created are stored, facilitating changes in one or more mining structures being simultaneously reflected in each of the one or more mining models created from each of the changed mining structures, as recited in claim 25. Further, the cited portions of Browning do not teach or suggest changes relating to discretization of continuous variables associated with the one or more mining structures, as recited in claim 25

[0053]   Accordingly, claim 25 is allowable because the cited art does not teach or suggest each feature of independent claim 25 and Applicant asks the Examiner to withdraw the rejection of this claim.

Dependent Claims 26-29

[0054]   Dependent claims 26-29 ultimately depend upon independent claim 25. As explained previously, the cited portions of Becker and the cited portions of Browning do not teach or suggest all of the features of claim 25. Thus, the cited art does not teach or suggest all of the features of claims 26-29. Accordingly, at least for these reasons, claims 26-29 are allowable at least by virtue of their dependency from claim 25 and Applicant asks the Examiner to withdraw the rejections of these claims.

Based upon Becker, Browning, and Smith

[0055]   The Action rejects claim 20 under 35 U.S.C. § 103(a) as being unpatentable over Becker in view of Browning and further in view of Smith. Applicant respectfully traverses the rejection of this claim and asks the Examiner to withdraw the rejection of this claim.

Dependent Claim 20

[0056]   Claim 20 depends from claim 19, which Applicant has shown to be allowable over the cited portions of Becker, the cited portions of Browning, and the cited portions of Smith. As explained previously, the cited portions of Becker, the cited portions of Browning, and the cited portions of Smith do not teach or suggest links between the one or more of a plurality of mining models and the

mining structure from which each mining model was created are stored, facilitating changes in one or more mining structures being simultaneously reflected in each of the one or more mining models created from each of the changed mining structures, as recited in claim 19. Since the cited art does not teach or suggest each feature of independent claim 19, the cited art also does not teach or suggest each feature of claim 20. Accordingly, at least for these reasons, claim 20 is allowable at least by virtue of its dependency from claim 19 and Applicant asks the Examiner to withdraw the rejection of this claim.

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Conclusion

[0057]   All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application.   If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action**.   Please call/email me at your convenience.

Respectfully Submitted,

Lee & Hayes, PLLC
Attorneys for Applicant

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